

Attorney Docket No.: 2870/155

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shah, et al.

Serial No.: 09/324,182

Group Art Unit: 1615

Filed: June 2, 1999

Examiner: Pulliam, Amy

For: Non-Tacky Mascara Composition

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**AND STATEMENT UNDER 37 C.F.R. 1.97(e)**

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Dear Sir:

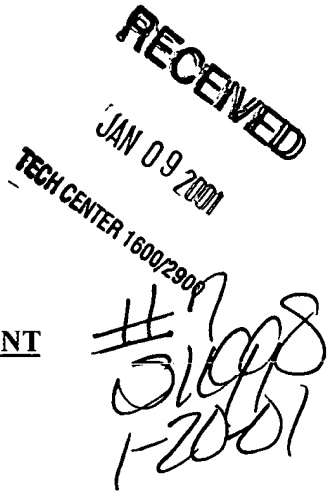
In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicant submits herewith references which Applicants believe may be material to the examination of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the reference is "prior art" unless specifically designated as such.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that no other material references than those listed exist or that a search has been conducted. The references are listed in PTO Form 1449 which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is also enclosed.

The references are:

- 1) U.S. Patent No. 5,552,135, Cioca et al., September 3, 1996
- 2) GB 2 321 644, Puri et al., August 5, 1998
- 3) FR 2 770 776, Bonte et al., May 14, 1999
- 4) International Search Report PCT/US 00/15095



It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the Undersigned if there are any questions concerning this paper or the attached references.

In accordance with 37 C.F.R. 1.97(e), it is stated that each item of information contained in this Supplemental Information Disclosure Statement is being submitted not more than three months prior to the date each was cited in a communication from a foreign patent office in a counterpart foreign application. Applicants believe that no fee is due. However, if a fee is due, please charge the fee to Deposit Account No. 05-1320.

Respectfully submitted

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JAN 09 2001

TECH CENTER 1600/2900

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*Jan. 2, 2001*

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) and 1.97(c))

Docket No.  
2870/155

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Serial No.  
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Filing Date  
June 2, 1999

Examiner  
Pulliam, Amy

Group Art Unit  
1615

Title: Non-Tacky Mascara Composition

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application; within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or before the mailing date of a first Office Action on the merits, whichever event occurs last.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after three months of the filing of a national application, or the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or after the mailing date of a first Office Action on the merits, whichever occurred last but before the mailing date of either:

1. a Final Action under 37 CFR 1.113, or
  2. a Notice of Allowance under 37 CFR 1.311,
- whichever occurs first.

Also submitted herewith is:

- ☒ a certification as specified in 37 CFR 1.97(e);

**OR**

- ☐ the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under 37 CFR 1.97(c).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(s))

Docket No.  
2870/155

In Re Application Of: **Shah, et al.**

Serial No.  
09/324,182

Filing Date  
June 2, 1999

Examiner  
Pulliam, Amy

Group Art Unit  
1615

Title: **Non-Tacky Mascara Composition**

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_
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- ☐ Charge any additional fee required.

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. \_\_\_\_\_) on \_\_\_\_\_

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on 1/2/01 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary C. Wilson Reg No. 30,333

Signature

for Estelle J. Tsevdos

ESTELLE J. TSEVDOS

Typed or Printed Name

\*This certificate may only be used if paying by deposit account.

Estelle J. Tsevdos

By: Mary C. Wilson Reg. No. 30,333

Signature

Dated: 1/2/01

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